

# DISTRICT COURT OF MARYLAND FOR Frederick County Located at 100 West Patrick St, Frederick, Maryland 21701

VS.

Case No. D-111-CR-23-000733

# STATE OF MARYLAND

COMPLAINANT: Officer: STAUB, DEP K. Agency/Subagency: ZJ 10 Officer ID: 0523

# **GUZMAN-CRUZ, CARLOS JAVIER**

10337 QUILLBACK ST NEW MARKET, MD 21774

CC#: 23-047075

SID: FB1#:

LID:

DL#: G255108376053 MD 0" Wt: 180 Hair: 1

Race: W Sex: M Ht: 5' 10"
DOB: 01/19/1989 Home phone:

Hair: BRO Eyes: BRO

Cellphone:

## **CHARGE SUMMARY**

UPON THE FACTS CONTAINED IN THE APPLICATION OF Officer: STAUB, DEP K. IT IS FORMALLY CHARGED THAT GUZMAN-CRUZ, CARLOS JAVIER at the dates, times and locations specified below:

CHG/CIT	STATUTE	PENALTY -	DESCRIPTION OF THE CHARGE
1 1756	CR 11 208	5 Y &/or \$2,500.00	POSSESS CHILD PORNOGRAPHY
1 1756	CR 11 208	5 Y &/or \$2,500.00	POSSESS CHILD PORNOGRAPHY
1 1756	CR 11 208	5 Y &/or \$2,500.00	POSSESS CHILD PORNÓGRAPHY
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1 1756	CR 11 208	5 Y &/or \$2,500.00	POSSESS CHILD PORNOGRAPHY

Date: 04/25/2023 Time: 9:36 PM

Tracking No. 236343002361

Judicial Officer:

Z. Byrd, B082

B082

COURT COPY

(City/County)

# DISTRICT COURT OF MARYLAND FOR



LOCATED AT (COURT ADDRESS)
100 W. PATRICK ST

Frederick, MD, 21701

DEFENDANT'S NAME (LAST, FIRST, M.I.) GUZMAN CRUZ, CARLOS J



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COMPLAINANT		DEEDNDANT	
NAME (LAST, FIRST M.L.)	NAME (LAST, FIRST M.I.)	63.57.00	TITLE
STAUB KAYLA L DEP	GUZMAN CRUZ	CARLOS :	J
AGENCY SUB-AGENCY 1.D. NO. (POLICE) 2J 10 0523	MAFIS NAME (LAST, FIRST, M.I.) GUZMAN, CARLOS		TITLE
WORK TELEPHONE HOME TELEPHONE	I.D. NO. RACE SEX	HT, WT. I	D.O.B. (MM/DD/YY)
(301) 600-1046	2908698 W M	5;/10 180 <u>0</u>	1/19/1989
ADDRESS / APT. NO.	CC/OCA HAIR / EYE	S OTHER DE	SCRIPTION
FREDERICK COUNTY SHERIFF'S DEPT 110 AIRPORT DR E	BRO BRO DRIVER'S LICENSE #	<del>_</del> -	STATE
CITY STATE ZIP CODE	DRIVER'S LICENSE #		SIAIL
FREDERICK MD 21701	WORK TELEPHONE	<del></del>	HOME TELEPHONE
☐ DOMESTIC VIOLENCE ☐ HATE CRIME			
	ADDRESS		APŢ. NO.
☐ VULNERABLE ADULT ABUSE ☐ CHILD ABUSE	10337 QUILLBACK ST	STATE	ZIP CODE
. Page 1 of	CITY NEW MARKET	MD	21774
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ISSUING PEACE OFFICER SUB-AGENCY



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#### Local Incident #: 23-047075

<b>A</b>	DISTRICT COUR	T OF MARYLAND FOR		COURT CO		
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I.D. NO. 0523

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SUB-AGENCY

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Local Incident #: 23-047075

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AND FACTS SET FORTH IN THE FOREGOING DOCUMENT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

DATE ISSUING
PEACE OFFICER 236343002361 I.D. NO. 0523



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SUB-AGENCY

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AGENCY

	Local Inc	ident #: 23-047075	Pr	int Date:04/25/2023	20:17
<b>ATI</b>	DISTRICT COU	RT OF MARYLAND FOR		COURT COPY	
	LOCATED AT (COUR	T ADDRESS)		T CÖÜRT UMBER	(City/County)
DEFENDA	ANT'S NAME (LAST, FIR	ST, M.I.)	MAFIS NAME 1	<del>_</del>	D.O.B.
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CONTINUED ON ATTACHED SHEET (FORM DC/CR 2A)

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE MATTERS AND FACTS SET FORTH IN THE FOREGOING DOCUMENT ARE TRUE TO THE BEST ISSUING PEACE OFFICER Det. AGENCY I.D. NO. SUB-AGENCY

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0523





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LOCATED AT (COURT ADDRESS)

DISTRICT COURT CASE NUMBER

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AGENCY	SUB-AGENCY	I.D. NO. (PC	DLICE !	MAFIS NAME (LAST,	FIRST, M.	I.)			•	TITLE
ZJ	10	0523		GUZMAN, CAF	RLOS J	AVIER				
WORK TELEPHONE		HOME TELEPHONE	1	I.D. NO.	RACE	SEX	ΤΉ	WT	D.O.B. (MM	/DD/YY)
(301) 600-1046				2908698	W	M	5/10	180	01/19/19	89 ⊩
ADDRESS		APT. NO.		CC/OCA	HAIR	EYES	OTI	IER DES	CRIPTION	
FREDERICK COUNT	Y SHERIFF'S DEPT I	10 AIRPORT D			BRO	BRO				
CITY	STATE	ZIP CODE		DRIVER'S LICENSE #	1					STATE
FREDERICK	MD		21701							4
TREDERICK	WID		21701	WORK TELEPHONE			HOME	TELEPI	HONE	
DOMESTIC VI	OLENCE	HATE CE	RIME	ADDRESS	-					APT, NO.
<b>VULNERABLE</b>	ADULT ABUSE	CHILD A	BUSE	10337 QUILLBACK	ST	, , , ,		•		
	•	<del></del>	i	CITY		STATE				ZIP CODE
	.Page 1 of <u>5</u>			NEW MARKET		MD				21774
DOMESTIC VI	OLENCE ADULT ABUSE	HATE CE	RIME	ADDRESS 10337 QUILLBACK CITY	ST	STATE	НОМЕ	TELEPI		ZIP COI

#### STATEMENT OF PROBABLE CAUSE

ON AUGUST 29, 2022, I, DETECTIVE STAUB WAS ASSIGNED CYBERTIP #132974120. A TELEPHONE NUMBER WAS PROVIDED ON THE ACCOUNT OF 240-713-0067. THE CYBERTIP CONTAINED NINE UPLOADED FILES, THAT CONSTITUTE AS CHILD PORNOGRAPHY. THROUGH THE INVESTIGATION, CARLOS JAVIER GUZMAN CRUZ WAS IDENTIFIED AS THE ACCOUNT OWNER WHO RESIDES AT 10337 QUILLBACK STREET, NEW MARKET, MD, 21774. ON APRIL 25, 2023, I, DETECTIVE STAUB EXECUTED A SEARCH WARRANT LOCATED AT 10337 QUILLBACK ST, NEW MARKET, MD, 21774. I SPOKE TO THE OWNER OF THE RESIDENCE CARLOS JAVIER GUZMAN CRUZ. CARLOS WAS READ HIS CONSTITUTIONAL RIGHTS WARNING CONCERNING INTERROGATION AND CONSENTED TO SPEAK WITH ME. CARLOS WAS TOLD THAT AT ANY TIME HE COULD STOP SPEAKING WITH ME. CARLOS STATED THAT HE UNDERSTOOD AND WOULD SPEAK WITH ME. CARLOS IMMEDIATELY STATED THAT HE KNEW WHY I WAS AT HIS RESIDENCE AND COULD EXPLAIN. CARLOS STATED THAT HE RECEIVED IMAGES AND VIDEOS ON WHATSAPP. CARLOS WAS ASKED TO EXPLAIN

X CONTINUED ON ATTACHED SHEET (FORM DC/CR 4A)

PROBABLE CAUSE CHARGES

**COURT COPY** 

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE MATTERS AND FACTS SET FORTH IN THE FOREGOING DOCUMENT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF

ZJ

SUB-AGENCY AGENCY 10

Kayla I.D. NO.

THERE IS PROBABLE CAUSE TO DETAIN THE DEFENDANT

THERE IS NOT PROBABLE CAUSE TO DETAIN THE DEFENDANT AND I HAVE ACCORDINGLY RELEASED HIM ON HIS OWN RECOGNIZANCE

LACK OF PROBABLE CAUSE CHARGES

BOKE MMISSIONER LD.



0523



BIN2300776FR

LOCATED AT (COURT ADDRESS)

DEFENDANT'S NAME (LAST, FIRST, M.I.) GUZMAN CRUZ, CARLOS J

MAFIS NAME GUZMAN, CARLOS JAVIER

Page\_2 of\_5

(City/County)

#### STATEMENT OF PROBABLE CAUSE (CONTINUED)

ARREST ON TRAFFIC/NATURAL RESOURCES/MASS TRANSIT CITATIONS/CRIMINAL CHARGES/MUNICIPAL ORDINANCES/PUBLIC LOCAL LAWS

WHAT HE MEANT. CARLOS STATED THAT HE WAS ON WHATSAPP IN A GROUP CHAT AND THE IMAGES AND VIDEOS WERE DOWNLOADED TO HIS CELLULAR DEVICE. CARLOS WAS ASKED WHAT TYPE OF VIDEOS/IMAGES WERE DOWNLOADED AND HE STATED IT WAS PORNOGRAPHY, A "MIX OF EVERYTHING." CARLOS WAS ASKED IF HE VIEWED CHILD PORNOGRAPHY OR ADULT PORNOGRAPHY AND HE STATED BOTH. CARLOS WAS ASKED WHEN THAT INCIDENT OCCURRED AND HE STATED, "THIS YEAR" DURING "FEBRUARY OR MARCH." CARLOS WAS ASKED HOW OLD THE JUVENILES WERE IN THE IMAGES/VIDEOS AND HE STATED, "3,6,10 AND 15." CARLOS ADVISED THAT IT WAS A "MISTAKE", AND HE TOLD HIS WIFE ABOUT THE INCIDENT AND BEGAN DELETING THE IMAGES AND VIDEOS. FURTHERMORE, CARLOS STATED THAT AFTER HE SPOKE WITH HIS WIFE, HE DID NOT CONTINUE TO DELETE THE IMAGES AND VIDEOS. CARLOS ADVISED SEVERAL TIMES THAT THERE WOULD STILL BE VIDEOS AND IMAGES ON HIS CELLULAR DEVICE. WHEN ASKED APPROXIMATELY HOW MANY, CARLOS STATED "20-30" AND THAT HE DELETED APPROXIMATELY 50 FILES. CARLOS IDENTIFIED HIS PHONE AS A SAMSUNG S 22 PLUS AND A SAMSUNG NOTE 10. CARLOS ADVISED HIS PERSONAL PHONE SAMSUNG S 22 PLUS WAS LOCATED IN THE BATHROOM, WHICH WAS LOCATED BY DETECTIVES. CARLOS WAS ADVISED THE CYBERTIP WAS FROM 2022, NOT 2023. CARLOS STATED THE VIDEOS/IMAGES THAT HE VIEWED IN 2022, THE FEMALES WERE 18 YEARS OF AGE. I ADVISED CARLOS THAT I VIEWED THE FILES THAT WERE REPORTED, AND THEY WERE NOT 18 YEARS OF AGE. AT THAT TIME, CARLOS STATED IT WAS A MIXTURE. CARLOS STATED THAT HIS

CONTINUED ON ATTACHED SHEET (FORM DC/CR 4A)

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I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERIURY THAT THE MATTERS AND FACTS SET FORTH IN THE FOREGOING DOCUMENT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

DATE

ARRESTING OFFICER

Oct Kay/ Stands

AGENCY SUB-AGENCY 1.D. NO.

ZJ 10 0523





(City/County)

LOCATED AT (COURT ADDRESS)

E DISTRICT COURT TAR CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.I.) GUZMAN CRUZ, CARLOS J MAFIS NAME GUZMAN, CARLOS JAVIER

Page 3 of 5

### STATEMENT OF PROBABLE CAUSE (CONTINUED)

ARREST ON TRAFFIC/NATURAL RESOURCES/MASS TRANSIT CITATIONS/CRIMINAL CHARGES/MUNICIPAL ORDINANCES/PUBLIC LOCAL LAWS

ACCOUNT WAS LOCKED HOWEVER HE WAS ABLE TO LOG BACK IN DURING 2023 AND ENTERED CHAT GROUPS. CARLOS STATES THAT CHILD PORNOGRAPHY WAS WITHIN THOSE CHAT GROUPS. AND IT BEGAN DOWNLOADING. CARLOS DESCRIBED THE CHILDREN AS "VERY YOUNG." FILENAME: DZUCYFJCFJ2KRBH6301083769 1514696175648359 3259867639032240138 N.MP4 THAT WAS PROVIDED WITHIN THE CYBERTIP WAS LOCATED IN THE DEVICE. (1 $\,$  5161144470254649963.WITHIN THE DEVICE, SEVERAL VIDEO FILES WERE LOCATED THAT CONSTITUTE AS CHILD PORNOGRAPHY. THOSE VIDEOS ARE LISTED BELOW: FILENAME: 1 5168419049637413566.MP4/INTERNALSTORAGE/DOWNLOAD/TELEGRAM DESCRIPTION: THIS IS A COLORED VIDEO APPROXIMATELY 2:43 SECONDS IN LENGTH DEPICTING A PREPUBESCENT FEMALE, REASONABLY BELIEVED TO BE UNDER THE AGE OF 16 YEARS OLD, BASED ON HER PHYSICAL SIZE. THE VIDEO DEPICTS THE FEMALE INSERTING A PENIS INTO HER MOUTH, PERFORMING FELLATIO. THE FEMALE IS THEN OBSERVED MOVING HER HAND IN AN UP-AND-DOWN MOTION ON THE PENIS. FILENAME: 1.5168419049637413568.MP4 DESCRIPTION: THIS IS A COLORED VIDEO APPROXIMATELY 37 SECONDS IN LENGTH DEPICTING A PREPUBESCENT FEMALE REASONABLY BELIEVED TO BE UNDER THE AGE OF 16 BASED ON THE LACK OF BREAST DEVELOPMENT AND PUBIC HAIR. THE VIDEO DEPICTS A MALE INSERTING HIS PENIS INTO THE FEMALE'S VAGINA. FILENAME: 1 5168414226389140167.MP4 DESCRIPTION: THIS IS A COLORED VIDEO APPROXIMATELY 7 SECONDS IN LENGTH DEPICTING A PREPUBESCENT FEMALE REASONABLY BELIEVED TO BE UNDER THE AGE OF 16.

COURT COPY

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE MATTERS AND FACTS SET FORTH IN THE FOREGOING DOCUMENT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

DATE

ARRESTING OFFICER

OFFICER

AGENCY

SUB-AGENCY

I.D. NO.

ZJ

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0523





DC/CR 4A (Rev. 4/2002)

(City/County)

LOCATED			

DISTRICT COURT CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.I.) GUZMAN CRUZ, CARLOS J

MAFIS NAME GUZMAN, CARLOS JAVIER

> Page 4 of.<sup>5</sup>

### STATEMENT OF PROBABLE CAUSE (CONTINUED)

ARREST ON TRAFFIC/NATURAL RESOURCES/MASS TRANSIT CITATIONS/CRIMINAL CHARGES/MUNICIPAL ORDINANCES/PUBLIC LOCAL LAWS

DUE TO THE LACK OF PUBIC HAIR AND PHYSICAL SIZE. THE FEMALE IS OBSERVED TOUCHING HER VAGINA. FILENAME: 1 5168414226389140200 DESCRIPTION: THIS IS A COLORED VIDEO APPROXIMATELY 44 SECONDS IN LENGTH DEPICTING A PREPUBESCENT FEMALE REASONABLY BELIEVED TO BE UNDER THE AGE OF 16 DUE TO THE PHYSICAL SIZE AND FEATURES OF THE FEMALE. THE FEMALE IS OBSERVED INSERTING THE PENIS INTO HER MOUTH, PERFORMING FELLATIO.  $\,$  FILENAME:  $\,$ 1 .5168414226389140181.MP4 DESCRIPTION: THIS IS A COLORED VIDEO APPROXIMATELY 15 SECONDS IN LENGTH DEPICTING A PREPUBESCENT FEMALE, SPECIFICALLY TODDLER-AGE. THE VIDEO DEPICTS A MALE INSERTING HIS PENIS INTO HER MOUTH, PERFORMING FELLATIO. FILENAME: CPNINAMORENACHUPANDOENLABANERA.3GP DESCRIPTION: THIS IS A COLORED VIDEO APPROXIMATELY 1 MINUTE IN LENGTH DEPICTING A PREPUBESCENT FEMALE REASONABLY BELIEVED TO BE UNDER THE AGE OF 16 DUE TO PHYSICAL SIZE. AND LACK OF BREAST DEVELOPMENT. THE VIDEO DEPICTS THE FEMALE IN THE BATHTUB WITH A MALE INSERTING THE PENIS INTO HER MOUTH, PERFORMING FELLATIO. FILENAME: 1 5161144470254649965.MP4 DESCRIPTION: THIS IS A COLORED VIDEO APPROXIMATELY 8 SECONDS IN LENGTH DEPICTING A PREPUBESCENT FEMALE REASONABLY BELIEVED TO BE UNDER THE AGE OF 16 BASED ON HER PHYSICAL SIZE AND LACK OF BREAST DEVELOPMENT. THE VIDEO DEPICTS A PENIS INSERTED IN AND OUT OF THE FEMALE'S MOUTH, PERFORMING FELLATIO. FILENAME: 1 :5161144470254649963.MP4 DESCRIPTION: THIS IS A COLORED VIDEO APPROXIMATELY 23 SECONDS

CONTINUED ON ATTACHED SHEET (FORM DC/CR 4A)

#### COURT COPY

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE MATTERS AND FACTS SET FORTH IN THE FOREGOING DOCUMENT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF ARRESTING OFFICER DC+ Kay(a I.D. NO. AGENCY SUB-AGENCY ZJ 10 0523





DISTRICT COURT OF MARYLAND FOR	1	,	(City/County)
LOCATED AT (COURT ADDRESS)	DISTRICT COURT CASE NUMBER	}	•
DEFENDANT'S NAME (LAST, FIRST, M.I.) GUZMAN CRUZ, CARLOS J	MAFIS NAME GUZMAN, CARLOS JAVIER		, ,

Page\_5

STATEMENT OF PROBABLE CAUSE (CONTINUED)

ARREST ON TRAFFIC/NATURAL RESOURCES/MASS TRANSIT CITATIONS/CRIMINAL CHARGES/MUNICIPAL ORDINANCES/PUBLIC LOCAL LAWS

IN LENGTH DEPICT	ING A PREPUBESCENT FEI	MALE REASONA	BLY BELIEVED	TO BE UND	ER THE AGE OF	16
BASED ON HER PHY	SICAL SIZE AND APPEAR	ANCE. THE VIDE	O DEPICTS A M	IALE INSER	TING HIS PENIS	
INTO THE VAGINA.	FILENAME: 1_516841422	6389140192.MP4	DESCRIPTION:	THIS IS A CO	DLORED	
VIDEO FILE APPRO	XIMATELY 12 SECONDS IN	I LENGTH DEPIC	TING A PREPUE	BESCENT RE	ASONABLY	
BELIEVED TO BE U	NDER THE AGE OF 16 DUE	TO THE PHYSIC	AL SIZE OF THE	E HANDS AN	D FACIAL	
STRUCTURE. THE F	EMALE IS OBSERVED WIT	H THE PENIS INS	SERTED INTO H	ER MOUTH,	PERFORMING	_
FELLATIO. FILENAM	ИЕ: 1_5082833661531783703	MP4 DESCRIPT	ION: THIS IS A C	COLORED V	DEO FILE	
APPROXIMATELY 6	SECONDS IN LENGTH DE	PICTING A PREP	UBESCENT FEM	IALE REASO	NABLY BELIEV	ED TO
BE UNDER THE AGE	OF 16 DUE TO PHYSICAL	SIZE AND LACK	OF BREAST DE	EVELOPMEN	T. THE VIDEO	- "
DEPICTS A PENIS IN	THE FEMALE'S MOUTH,	PERFORMING FE	LLATIO.	-		
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**COURT COPY** 

I SOLEMNDY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE MATTER. AND FACTS SET FORTH IN THE FOREGOING DOCUMENT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. ARRESTING OFFICER

CH Kayle

I.D. NO. DATE SUB-AGENCY AGENCY 0523 10





### NOTICE OF ADVICE OF RIGHT TO COUNSEL FOR ALL JUDICIAL PROCEEDINGS

### TO THE PERSON CHARGED:

- 1. This paper charges you with committing a crime.
- 2. If you have been arrested and remain in custody, you have the right to have a judicial officer decide whether you should be released from jail until your trial.
- 3. If you have been served with a citation or summons directing you to appear before a judicial officer for a preliminary inquiry at a date and time designated or within five days of service if no time is designated, a judicial officer will advise you of your rights, the charges against you, and penalties. The preliminary inquiry will be cancelled if a lawyer has entered an appearance to represent you.

4. You have the right to have a lawyer.

**GUZMAN-CRUZ, CARLOS JAVIER** 

DC Case No: D-111-CR-23-000733 Criminal

5. A lawyer can be helpful to you by:

(A) explaining the charges in this paper;

Tracking No: 236343002361

- (B) telling you the possible penalties;
- (C) explaining any potential collateral consequences of a conviction, including immigration consequences;
- (D) helping you at trial;
- (E) helping you protect your constitutional rights; and
- (F) helping you to get a fair penalty if convicted.
- 6. Even if you plan to plead guilty, a lawyer can be helpful.
- 7. If you are eligible, the Public Defender or a court-appointed attorney will represent you at any initial appearance before a judicial officer and at any proceeding under Rule 4-216.1 to review an order of a District Court commissioner regarding pretrial release. If you want a lawyer for any further proceeding, including trial, but do not have the money to hire one, the Public Defender may provide a lawyer for you. The court clerk will tell you how to contact the Public Defender.
- · 8. If you want a lawyer but you cannot get one and the Public Defender will not provide one for you, contact the court clerk as soon as possible.
- 9. DO NOT WAIT UNTIL THE DATE OF YOUR TRIAL TO GET A LAWYER. If you do not have a lawyer hadana dha kulat daka masa harra ka an ka kulat midhank ana

		RECEIPT	
nave read or	have had	d read to me the contents of the above notice and acknowledge receipt of a copy thereof.	
	•		
4	Date	Signature of Defendant	
	•		
	Date	Commissioner I.D	. No.
	1	RETURN OF SERVICE	
I certify th	nat at	1824 o'clock 1824 Mon 4/25/23 at	
		ndant and delivered a copy of the Statement of Charges to the Defendant.	by
, :	,	Frederick Adult Petention Center  Detention Facility  7300 marcies choice LN	
••	· (	7300 marcies chace LN	•
,	t 1 702	Detective Eagle Stars Signature of Peace Officer  Detective	
	ŧ	Detective	